

Article - Public Safety

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§14–403.

(a) In this section, “executive officer” means the mayor or comparable official of the legislative body of a municipal corporation of the State.

(b) The powers in this section may be exercised only during the effective period of an official proclamation by the Governor that declares all or part of the municipal corporation to be in an actual or threatened emergency area.

(c) (1) If an executive officer is killed or is sick, incapacitated, missing, or otherwise unavailable for a temporary or indefinite period because of a military or warlike catastrophe, and the municipal corporation is unable to fill that vacancy for a temporary or indefinite period, the local governing body of the county in which the municipal corporation is located may appoint an individual to fill the vacancy for a temporary or indefinite period.

(2) If the vacancy is in a municipal corporation that is located in more than one county:

(i) the local governing body of any of the counties in which part of the municipal corporation is located may appoint an individual to fill the vacancy; or

(ii) the local governing bodies of the counties may agree to appoint an individual to fill the vacancy.

(d) To the extent possible, each appointee shall have the qualifications required for the particular office to which appointed.

(e) Each appointee may exercise the powers and prerogatives of an officer elected to the position.

(f) Each appointee shall hold office until:

(1) the executive officer originally holding the position returns to the position; or

(2) the position is filled by the regular election and qualification of a successor.

(g) Under the circumstances described in this section, the Governor may exercise the executive and administrative powers of the municipal government until the number of individuals sufficient to operate the municipal government are appointed and qualified as executive officers.

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